

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CECIL ELMORE, JR.,

Plaintiff,

-against-

UNIVERSAL SERVICES OF AMERICA,
LP; GWIS, LLC; JOEL TANNER; KYLE
JOHNSTON; ADAM DOENCH; JUSTIN
OSTENSEN AND ASSOCIATES LLC;
KAREN ARMSTRONG; CHRISTI
STEWART,

Defendants.

24-CV-5883 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is appearing *pro se*, brings this action alleging racial discrimination, in violation of 42 U.S.C. § 1981 and 42 U.S.C. § 2000e. The Court dismisses the complaint for the following reasons.

Plaintiff has previously submitted to this court a duplicate complaint against the same Defendants alleging the same set of facts. *See Elmore v. Universal Servs. of America, LP*, No. 24-CV-5808 (S.D.N.Y.). As this complaint raises the same claims, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed without prejudice to Plaintiff's pending case under docket number 24-CV-5808.

CONCLUSION

Plaintiff's complaint is dismissed as duplicative of *Elmore v. Universal Servs. of America, LP*, No. 24-CV-5808 (S.D.N.Y.).

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment in this action.

SO ORDERED.

Dated: August 14, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge